

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF THE DISTRICT OF COLUMBIA

IN RE LORAZEPAM & CLORAZEPATE
ANTITRUST LITIGATION

MDL-1290 (TFH)
Misc. No. 99ms276
Judge Thomas F. Hogan

This document relates to:

DOROTHY KENDRICK, et al.,

Plaintiffs,

v.

MYLAN LABORATORIES, INC., et al.,

Defendants.

FILED

OCT 08 2003

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

No. 3:03-626 (S.D. Miss.)


STIPULATION AND PROPOSED ORDER

Plaintiffs and defendants, through counsel, hereby agree and stipulate as follows with respect to the briefing of various motions that have been filed in the this action:

1. On or about July 30, 2003, this action was transferred, without objection, to this Court by the JPML.
2. Counsel for plaintiffs has been advised by the Clerk of Court for the United States District Court for the Southern District of Mississippi that the case file has now been sent to this Court.
3. There are two motions pending in this action at this time – (a) Defendants' Motion for Judgment on the Pleadings; and (b) Plaintiffs' Motion to Remand (collectively, the "Motions"). Neither motion has been fully briefed as a result of the stay entered by Judge Wingate prior to the transfer of this action to this Court.

4. The following memoranda need to be filed in order to complete the briefing on the Motions: (a) defendants' reply in support of the motion for judgment on the pleadings; (b) defendants' opposition to plaintiffs' motion to remand; and (c) plaintiffs' reply in support of the motion to remand. Plaintiffs also wish to make a supplemental filing in opposition to the motion for judgment on the pleadings. While defendants reserve all rights to dispute the contents of that supplemental filing, they do not object to the submission of the filing according to the schedule proposed below.

5. Last month, at the parties' request, the Court set a briefing schedule on the Motions under which briefing would conclude in mid-October.

6. Based on the parties' subsequent determination that it would be beneficial to have additional time to brief the Motions and to address certain other issues relating to this action, the parties respectfully propose that the briefing schedule for the Motions be extended by approximately 30 days as follows:

Defendants' Motion for Judgment on the Pleadings

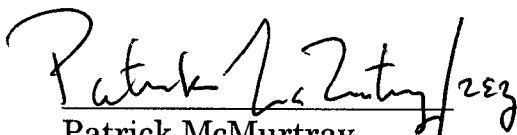
Deadline for plaintiffs' supplemental filing: October 31, 2003

Deadline for defendants' reply: November 19, 2003

Plaintiffs' Motion to Remand

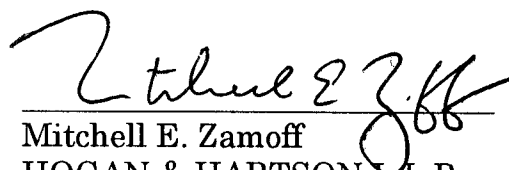
Deadline for defendants' opposition: October 31, 2003

Deadline for plaintiffs' reply: November 19, 2003



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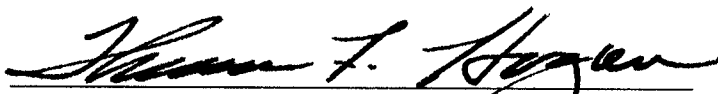
On behalf of Plaintiffs



Mitchell E. Zamoff
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On behalf of Defendants

SO ORDERED:

A handwritten signature in cursive script, reading "Thomas F. Hogan". The signature is written in black ink and is positioned above a horizontal line.

Honorable Thomas F. Hogan
Chief Judge, United States District Court

Date: Oct. 8, 2003

CERTIFICATE OF SERVICE

I, Mitchell E. Zamoff, one of the attorneys for Defendants herein, do hereby certify that I have this day caused to be mailed, postage prepaid, a true and correct copy of the foregoing to:

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This the 23rd day of September, 2003.


MITCHELL E. ZAMOFF